



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,643	12/01/2000	Masashi Hamada	36409-00500	5951

7590 03/17/2004

Christopher E. Chalsen, Esq.  
Milbank, Tweed, Hadley & McCloy LLP  
1 Chase Manhattan Plaza  
New York, NY 10005-1413

EXAMINER

MILLER, BRANDON J

ART UNIT	PAPER NUMBER
----------	--------------

2683

DATE MAILED: 03/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/728,643

Applicant(s)

HAMADA, MASASHI

Examiner

Brandon J Miller

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 22-26 and 29-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-26 and 29-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☒ Interview Summary (PTO-413) Paper No(s). 20.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-23, 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlsson in view of Ichikawa.

Regarding claim 22 Carlsson teaches a wireless system comprising a first and a second base stations, wherein a first base station comprises memory means for storing first identification information for specifying a terminal (see col. 4, lines 54-57 and col. 9, lines 64-65). Carlsson teaches a second base station for allocating second identification information to the terminal for specifying the terminal (see col. 10, lines 41-44 & 47-50). Carlsson does not specifically teach requesting the first base station to release the first identification information stored in memory. Ichikawa teaches a base station requesting another base station erase first identification information stored in memory (see col. 3, lines 54-66). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include requesting the first base station to release the first identification information stored in memory because this would allow for the efficient operation of wireless radio devices with multiple base stations.

Art Unit: 2683

Regarding claim 23 Carlsson teaches a second base station for notifying a control apparatus in the wireless system about identification information of the second base station and the second identification information (see col. 10, lines 47-54).

Regarding claim 25 Carlsson teaches allocating identification information to a terminal in a wireless system (see col. 5, lines 5-7). Carlsson teaches storing first identification information in a first base station for specifying the terminal (see col. 4, lines 55-58). Carlsson teaches a second base station for allocating second identification information to the terminal for specifying the terminal and storing second identification information in a second base station for verification (see col. 10, lines 41-44 & 47-50). Carlsson does not specifically teach requesting the first base station to release the first identification information. Ichikawa teaches a base station requesting another base station erase first identification information stored in memory (see col. 3, lines 54-66). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include requesting the first base station to release the first identification information stored in memory because this would allow for the efficient operation of wireless radio devices with multiple base stations.

Regarding claim 26 Carlsson and Ichikawa teach a device as recited in claim 23 and is rejected given the same reasoning as above.

Claims 24, and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlsson in view of Ichikawa and Sanders, III.

Regarding claim 24 Carlsson and Ichikawa teach a device as recited in claim 22 except for a first base station that is enabled to allocate the first identification information to another terminal in response to a request of releasing the first identification information. Sanders, III

Art Unit: 2683

teaches identification information of a remote unit that is stored in queues associated with a particular base station (see col. 4, lines 45-48). Sanders, III teaches allocating first identification information in response to releasing first identification information (see col. 5, lines 21-23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a first base station that is enabled to allocate the first identification information to another terminal in response to a request of releasing the first identification information because this would allow for avoidance of interference in control channel signals among a plurality of base stations.

Regarding claim 29 Carlsson and Ichikawa teach a device as recited in claim 22 except for a second base station that receives from the terminal third identification information for specifying the first base station in a sequence for allocating the second identification information. Sanders, III teaches identification information of a remote unit that is stored in queues associated with a particular base station (see col. 4, lines 45-48). Sanders, III teaches a base station that receives from the terminal third identification information for specifying a base station in a sequence for allocating the second identification information (see col. 5, lines 65-67 and col. 6, lines 1-5 & 13-16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a second base station that receives from the terminal third identification information for specifying the first base station in a sequence for allocating the second identification information because this would allow for avoidance of interference in control channel signals among a plurality of base stations.

Regarding claim 30 Carlsson, Ichikawa, and Sanders, III teach a device as recited in claim 24 and is rejected given the same reasoning as above.

Art Unit: 2683

Regarding claim 31 Carlsson, Ichikawa, and Sanders, III teach a device as recited in claim 29 and is rejected given the same reasoning as above.

***Response to Arguments***


Applicant's arguments with respect to claims 22-26 & 29-31 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takemura U.S Patent No. 6,163,695 discloses a mobile communication system and mobile communication method thereof.

Aldredge U.S Patent No. 6,181,931 discloses a method and apparatus for dynamic address allocation in a wireless communication system.

  
WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600